

**FILED**  
Clerk  
District Court

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

JAN - 6 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

CR-04-00038-001

January 6, 2006  
9:00 a.m.

**U.S. A. -vs- ERIC JOHN TUDELA MAFNAS and CHARLEY K. PATRIS**

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding  
SANAE SHMULL, Court Reporter  
RANDY SCHMIDT, Law Clerk  
ELLIA CIAMMAICHELLA, Law Clerk  
K. LYNN LEMIEUX, Deputy Clerk  
TIMOTHY MORAN, Assistant U. S. Attorney  
HOWARD TRAPP, Counsel for Defendant Mafnas  
ERIC JOHN TUDELA MAFNAS, Defendant  
G. ANTHONY LONG, Counsel for Defendant Patris  
CHARLEY K. PATRIS, Defendant

PROCEEDING: MOTION TO DISMISS INDICTMENT

Attorney Howard Trapp was present on behalf and with defendant Mafnas. Attorney G. Anthony Long was present on behalf and with defendant Patris. Government by Timothy Moran, AUSA.

Attorney Trapp called witness:

**ERIC JOHN TUDELA MAFNAS** (Defendant). DX. Attorney Trapp moved to admit **Ex. A** (DVD) into evidence; over objection, Court so ordered. Attorney Trapp moved to admit **Ex. B** (Guam Prison Rules & Regulations) into evidence, no objection; Court so ordered.

Court recessed at 10:30 a.m. and reconvened at 10:45 a.m.

Attorney Long conducted DX of defendant Mafnas. CX by Government.

Witness was remanded back into the custody of the U.S. Marshal and excused from the witness stand.

Court recessed at 11:45 a.m. and reconvened at 3:40 p.m.

Attorney Long called witness:

**CHARLEY K. PATRIS**. (Defendant). DX. CX. RDX. RCX. Witness left the stand and was remanded back into custody.

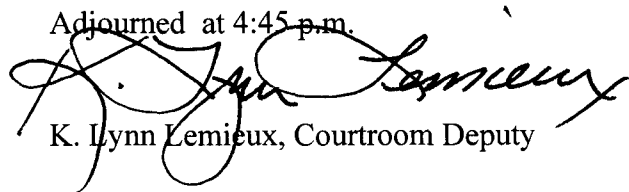
Attorney Trapp argued the motion on behalf of defendant Mafnas. Further, Attorney Trapp requested that defendant Mafnas be able to visit his Mother-in-law before she leaves to go off-island for medical treatment as this may be the last time he sees her. Attorney Long argued on behalf of defendant Patris. Government argued.

Court, after hearing argument and testimony, **DENIED** the joint motions to Dismiss the Indictment.

Court ordered that defendant Mafnas be allowed to visit with his Mother-in-Law at the hospital in the custody of the U.S. Marshal; not to exceed one hour and that there must be approval of the attending physician for this visit.

Defendants were remanded back into the custody of the U.S. Marshal until further order of the Court.

Adjourned at 4:45 p.m.



K. Lynn Lemieux, Courtroom Deputy